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REVENUE & DISASTER MANAGEMENT DEPARTMENT

NOTIFICATION

The 8th February, 2016

S.R.O No.95/2016—Whereas the draft of certain rules, which the State Government proposes to make in exercise of the powers conferred by sub-section(1) of Section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) was published, as required by Section 112 of the said Act, in an Extraordinary issue of the *Odisha Gazette* No. 1480/N. dated 19th October, 2015 under the notification of the Government of Odisha in Revenue & Disaster Management Department No. 29814–R&REH-24/2015., dated the 19th October, 2015, inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of fifteen days from the date of publication of the said notification in the *Odisha Gazette*;

And, whereas, no objection or suggestion on the said draft has been received by the Government during the stipulated period;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 109 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013), the State Government do hereby make the following rules, namely : —

CHAPTER-I

PRELIMINARY

1. Short title, extent and commencement : (1) These rules may be called the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2016.

(2) They shall extend to the whole of the State of Odisha.

(3) They shall come into force on the date of their publication in the *Odisha Gazette*.

2. Definitions: (1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013);
- (b) “Central Government” means the Government of India;
- (c) “District Collector” means the officer appointed by the State Government as Collector and District Magistrate for a District;
- (d) “District Office” means office of the District Collector;
- (e) “Form” means forms appended to these rules;
- (f) “Land Acquisition Collector” means the Deputy Collector or any other officer designated as Land Acquisition Officer or Special Land Acquisition Officer by the State Government to perform all or any of the functions of Collector under the Act;
- (g) “landless” means landless person as defined in the Odisha Prevention of Land Encroachment Act, 1972;
- (h) “R and R” means Rehabilitation and Resettlement;
- (i) “Secretary/ Commissioner R & R” means an officer not below the rank of Additional Secretary appointed by the Government;
- (j) “Section” means section of the Act;
- (k) “SIA” means Social Impact Assessment made under sub-section (I) of Section 4; and includes with grammatical variations and SIA team shall be constituted accordingly;
- (l) “SIMP” means the Social Impact Management Plan prepared as part of the Social Impact Assessment study under sub-section (6) of Section 4.

(2) The words and expressions used but not defined in these rules, but defined in the Act unless the context otherwise requires, shall have the same meaning as assigned to them in the Act.

CHAPTER -II

3. Proposal by the Requiring Body for acquisition of land: Whenever any Requiring Body proposes acquisition of land for public purpose, the detailed proposal for acquisition of land shall be submitted by the Requiring Body in Form- ‘A’ with the approval of the Department to which the project relates, to the concerned District Collector and if

the land under proposed acquisition includes double cropped irrigated land, the District Collector shall forward the proposal to the Agriculture Department for their recommendation keeping in view the provision contained in Section 10 and the Agriculture Department with their recommendation or objections, if any, shall return the same to the District Collector.

4. Summary scrutiny of application for land acquisition : (1) On receipt of the application in Form– A completed in all respect, the District Collector, shall make summary scrutiny of the application and on being satisfied, shall forward it to the authority conducting SIA study with copy to the Department dealing with the subject matter of land acquisition and the Department to which the project relates.

(2) The District Collector shall send the land particulars of the proposed project area to the Tahasildar for updating the record-of-rights within a period of three months and where necessary, the Tahasildar shall obtain a plot-wise encumbrance from the concerned Sub- Registrar or Registrar to initiate *suo motu* mutation proceedings to ensure that updation of records is complete.

5. Review to ensure updating of land records, restoration of titles and settlement of rights : (1) Settling land rights due, but not settled and restoring of the titles of the Scheduled Tribes as well as the Scheduled Castes and other eligible families on the land to be acquired for public purpose shall be undertaken as a special drive together with land acquisition and immediately after the notification issued under section 4, the process of recognition and vesting of forest rights shall also be undertaken under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, and the rules made thereunder.

(2) The District Collector shall take monthly review meetings on restoration of titles, settlement of rights and updation of the records.

6. State SIA Unit : (1) The State Government shall establish an independent organization (hereinafter referred to as the State SIA Unit), which shall be responsible for ensuring that the SIA study is conducted by such persons or bodies other than the Requiring Body as per the provisions of the Act.

(2) The State SIA Unit shall undertake the following tasks, namely:—

- (a) build and continuously expand a State Database of qualified SIA Resource Partners and Practitioners, which shall serve as network of individuals and institutions with the required skills and capacities to conduct SIA for land acquisition, Rehabilitation and Resettlement;

- (b) respond immediately to the appropriate Government's request for SIA study to be conducted by preparing a project-specific Terms of Reference (hereinafter referred to as ToR);
- (c) conduct training and capacity building programmes for the SIA team and make available manuals, tools, comparative case study reports and other materials required for the analysis;
- (d) provide ongoing support and corrective action, as required during the SIA process;
- (e) ensure that the transaction based, web-based workflow for SIA and Management Information System for land acquisition, Rehabilitation and Resettlement is maintained and that all relevant documents are disclosed as per the provisions of the Act;
- (f) maintain catalogue of all SIA and associated primary material;
- (g) continuously review, evaluate and strengthen the quality of SIAs and the capacities available to conduct them across the State; and
- (h) form group of District Level Resource persons comprising of minimum twenty persons with experts.

(3) (a) The Secretary or Commissioner Rehabilitation and Resettlement shall act as State Level Nodal Officer for facilitating State Level SIA unit for ensuring completion of SIA studies within the stipulated period.

(b) Additional District Magistrate shall act as District Level Nodal Officer to facilitate SIA teams for ensuring completion of SIA studies for each project within the stipulated period.

7. Preparation of project-specific Terms of Reference (ToR): (1) After receipt of proposal from the District Collector, the State SIA Unit shall,—

- (a) prepare a detailed project-specific ToR for each proposal of land acquisition, listing all the activities that must be carried out indicating the appropriate team size, number of field teams and profile of the team members and stipulate the schedule and deadlines for key deliverables for the SIA as detailed in Form-B; and
- (b) determine an estimated SIA fee based on the ToR with clear break-up of costs for each item or activity which shall be based on the parameters including area, type, location of project and number of affected families as specified by the State Government to be deposited by the Requiring Body.

(2) The Requiring Body shall deposit the estimated SIA fee along with ten percentum of it towards administrative cost with the authority conducting SIA study in the Scheduled Bank account of the said authority under intimation to the Land Acquisition Collector and the State Government.

8. SIA notification : (1) The State Government, on receipt of intimation from the authority conducting SIA study regarding deposit of SIA fee, shall issue notification within thirty days from the date of such intimation for carrying out SIA study in Form– C for commencement of consultation and Social Impact Assessment study, which shall be published in the official Gazette.

(2) The notification shall be made available in Odia language in the office of Panchayat, Notified Area council, Municipality or Municipal Corporation, as the case may be, and in the offices of the District Collector, the Sub-Divisional Magistrate and the Tahasildar and shall also be published at some conspicuous places of every village or ward, as the case may be, in the affected area and in token of such service, signature of two persons shall be obtained and in case the area is uninhabited, such publication shall be made in the adjacent habitated villages and shall be uploaded in the website of the State Government and the district concerned.

9. Social Impact Assessment study : (1) The SIA study shall be conducted in consultation with concerned Panchayat, Notified Area Council, Municipality or Municipal Corporation, as the case may be, at village level or ward level in the affected areas, for the purpose of Section 4 followed by a public hearing in the affected areas to ascertain the views of the affected families which shall be recorded in writing.

(2) The Social Impact Assessment Report prepared by the Authority conducting the SIA study shall be submitted in Form-D to the State Government along with Social Impact Management Plan in Form-E listing the ameliorative measures required to be undertaken for addressing the impact of the project on any specific component referred to in sub-section (5) of Section 4 within a period of six months from the date specified in the notification issued under sub-section (1) of Section 4.

10. Selection of the SIA team :(1) The Authority conducting SIA study shall be responsible for selecting the SIA team for each project from the individuals and institutions registered or empanelled in the State database of qualified SIA Resource Partners and Practitioners.

(2) The Requiring Body shall, in no way, be involved in the appointment of the SIA team to carry out the SIA.

(3) The size and selection criteria for the SIA team shall be project-specific. The team size shall comprise of minimum five (5) and more members depending on the area, type and location of the project.

(4) The SIA team may be constituted by appointing individuals or an organization with experience in conducting SIA study or related field-based assessments and the team may include —

(a) a combination of independent practitioners, qualified social activists, academics, technical experts, who are not directly connected with the Requiring Body; and

(b) at least one woman member.

(5) A team leader shall be appointed from amongst the SIA team members to liaison with the Authority conducting SIA study, public representatives, Government functionaries and the Requiring Body throughout the assessment period.

(6) The Authority conducting SIA study shall have the right to change the team member and size of the team during the process of study.

(7) If at any stage, it is found that any team member or any member of his or her family directly or indirectly receives any benefit from the Requiring Body or any other stakeholder in the project, the said member shall be disqualified for the said project.

11. Process of conducting the Social Impact Assessment. :(1) The authority conducting SIA study shall collect and analyse a range of quantitative and qualitative data, undertake detailed site visit, use participatory methods such as focussed group discussions, participatory rural appraisal techniques and informant interviews in preparing the Social Impact Assessment report.

(2) A detailed assessment based on a thorough analysis of all relevant land records and data, field verification, review and comparison with similar projects shall be conducted by such authority and for the purpose, all relevant information or records shall be provided by the District collector within fifteen days to such authority from the date of receipt of its written requisition.

(3) Based on the land assessment, land records and field verification, the SIA shall provide an accurate estimate of the number of affected families and the number of displaced families among them.

(4) A socio-economic and cultural profile of the affected area shall be prepared, based on available data and statistics, field visits and consultations as per Form– F:

Provided that where the land proposed to be acquired involves displacement of families, area for rehabilitation and resettlement of those families shall be identified in due consultation with those families and their representatives in the concerned local bodies and such identified resettlement sites shall be visited and a brief socio-economic profile of the site and its current resident population shall be indicated.

(5) Basing on the data collected in processes mentioned in the preceding sub rule and in consultation with public representatives, the affected communities and key stakeholders, the nature, extent and intensity of the positive and negative social impacts associated with the proposed project the Key Impact Area shall be identified and assessed as per Form– G.

12. SIMP to include R&R Entitlement Matrix: Social Impact Management Plan shall, along with other ameliorative measures, provide detail Rehabilitation and Resettlement Entitlement Matrix of each of the enumerated affected and displaced families and detail land Schedule of the area identified for resettlement and rehabilitation of the displaced families.

13. SIMP to include Development Plan in case of acquisition in Scheduled Areas: (1) Where land proposed to be acquired comes under Scheduled Areas and involves displacement of Schedule Caste and Schedule Tribe families, the Social Impact Management Plan shall contain a Development Plan prepared in accordance with the provisions under section 41 and in the formulation of such Development Plan, affected Scheduled Caste and Scheduled Tribe families, their representatives in the affected local bodies and the District Collector shall be consulted by the SIA.

(2) The Development Plan so prepared shall be discussed in the Gram Sabha or the Panchayats at the appropriate level in the Scheduled Areas in accordance with the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.

(3) Based on the discussions and opinion generated in the Gram Sabha or the Panchayats at the appropriate level, the District Collector shall review the Development Plan and modify it, if considered necessary, by giving sufficient reasons and justifications

and during the review of the Development Plan by the District Collector, the Requiring Body shall also be consulted after which, the Development Plan shall be placed before the Gram Sabha for consideration and consent to the proposed acquisition of land and the Development Plan so consented by the Gram Sabha shall become final, copy of which shall be made available by the District Collector to the State Government, the Department to which the project relates, the Department dealing with the subject matters relating to the Scheduled Tribes and Scheduled Castes Development, Requiring Body and the Administrator, R and R.

(4) Where a Development Plan is prepared, such Development Plan shall be implemented by the Requiring Body at its own cost in consultation with the Gram Sabha, which shall conduct regular social audit of the execution of the Development Plan and its findings shall be sent to the Requiring Body, Administrator, R and R, District Collector, the State Government, Department to which the project relates and the Department dealing with the subject matter relating to Scheduled Tribes and Scheduled Caste Development for appropriate action.

14. Process for conducting public hearings: (1) Public hearings shall be held in the affected areas seeking feedback on the findings of SIA and to seek additional information and views which shall be recorded and incorporated in the final report.

(2) Public hearings shall be conducted in each Gram Sabha or ward, as the case may be, in the affected area where more than twenty-five per centum of the members are directly or indirectly affected by the acquisition of the land.

(3) The notice indicating date, time and venue of the public hearing shall be published two weeks in advance in the same manner as laid down in sub-rule (2) of rule 8.

(4) At least twenty-five per centum of adult members of the affected families in the Gram Sabha or Ward shall constitute the quorum for the meeting:

Provided that if in the first meeting of the Gram Sabha or Ward Sabha the quorum is not available then in subsequent meetings the quorum is not necessary.

(5) The draft SIA report and SIMP in the form of booklet shall be published in Odia language and given to the Panchayat, Notified Area Council, Municipality or Municipal Corporation, as the case may be, and to the offices of the District Collector, the Sub-Divisional Magistrate and the Tahasildar and the Requiring Body shall also be served with a copy of the draft SIA report and SIMP.

(6) The Authority conducting the SIA study shall facilitate the public hearing which shall be organised by the district administration through the concerned Land Acquisition Collector and the Administrator, R and R.

(7) All the proceedings shall be held in Odia language to ensure that the participants understand and express their views.

(8) Representatives of the Requiring Body, concerned Sub-Collector, Land Acquisition Officer, Administrator, R and R, Tahasildar and other officers as decided by the District Collector shall also attend the public hearing and address the questions and concerns raised by the affected parties.

(9) Public representatives, representatives of Non-Government Organisations and media as may be allowed by the District Collector shall also be invited to attend the public hearings.

(10) The proceedings of the public hearing shall be video recorded and transcribed accordingly, which shall be submitted along with the final SIA report and SIMP.

(11) Objections raised during public hearing shall be recorded and shall form part of the SIA report.

(12) After the conclusion of the public hearings, the entire feedback received and information gathered in the public meetings shall be analysed and incorporated in the SIA report to be submitted to the authority conducting the SIA study.

(13) Consultation with the Gram Sabhas in the Scheduled Areas shall be in accordance with the provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996.

15. Publication of SIA Report and SIMP: The SIA Report and SIMP shall be prepared in Odia language and shall be published byway of uploading them in the website of the State Government and website of District concerned and shall be made available to the concerned Gram Panchayat, Notified Area Council, Municipality or Municipal Corporation, as the case may be, and to the offices of the District Collector, the Sub-Divisional Magistrate and the Tahasildar by the State SIA Unit and the notice of such publication shall also be affixed at some conspicuous places in the affected Village or Ward, as the case may be, in presence of two witnesses.

16. Publication of the recommendations of the Expert Group: The recommendations of the Expert Group as constituted under sub-section(1) of Section 7 shall be prepared in Odia language and published in the same manner as laid down in rule 15.

17. Publication of decision of the State Government: The decision of the State Government after examination of report of the Collector and the Expert Group shall be prepared in Odia language and published in the same manner as laid down in rule 15 and the State Government thereafter shall proceed for notification under sub-section (1) of section 11.

18. Publication of notification under section 11(1) and declaration under section 19(1): In addition to the manner of publication as provided under sub-section (1) of Section 11 and sub-section (4) of Section 19, the preliminary notification as specified in Form H and the Declaration as specified in Form I shall be prepared in Odia language and shall be announced by beat of drum or by loud speaker at conspicuous place of every village or ward in the affected area and also by way of affixture in presence of at least two persons and where the affected area is uninhabited, such publication shall be made in the nearest inhabited village.

19. Period for completion of publication: The publication of the preliminary notification or declaration, which are to be made under the provisions of sub-section (1) of Section 11 or sub-section (4) of Section 19, shall be completed in all modes as specified therein within a period not exceeding thirty days from the date of issue of such notification or declaration and the last date of such publication shall be considered as the date of the publication of the notification or declaration.

20. Copy of the preliminary notification to be sent to the Registrar or Sub-Registrar and Tahsildar: (1) A copy of the preliminary notification shall be sent to the concerned Registrar or Sub-Registrar for complying with the provisions under sub-section (5) of Section 11.

(2) Copy of such notification shall also be sent to the Tahasildar for final updation of land records as required under sub-section (5) of Section 11, who shall enter the notification number in the remarks column against the notified plots to ensure that no transaction of such plots are made violating the provisions of sub-section (4) of Section 11.

21. Obtaining consent: (1) In case of acquisition of land for public purpose or public private partnership projects, private companies, as specified in sub-section (2) of Section 2, the Land Acquisition Collector concerned shall initiate the process of obtaining consent of those affected families during the SIA study.

(2) After updating the land records under rule 20, the Land Acquisition Collector shall prepare a list of all affected families of the affected area from whom consent shall be sought for and the terms and conditions, if any, proposed by the land owners and agreed to by the Requiring Body shall also be made available to the affected families.

(3) The Land Acquisition Collector shall, in consultation with the representatives of Gram Panchayats, Municipality, Notified Area Council, Municipal Corporations, as the case may be, notify the date, time and venue of the meeting of affected persons at least two weeks in advance, where the purpose of obtaining consent shall be explained to the affected persons.

(4) At the end of the meeting the affected persons shall file their consent in Form J and a photo copy of the consent duly countersigned by the Land Acquisition Collector shall be handed over to the affected families.

(5) Consent shall be obtained as per holding of land and the persons interested in the same holding of land can give combined consent.

(6) The affected families shall not be compelled to file their consent and consent once given cannot be withdrawn.

(7) Notice shall be issued by registered post to the affected families who fail to attend the meeting to submit their consent before the Land Acquisition Collector by registered post within a period of thirty days from the date of affected families meeting and non-receipt of consent within such stipulated time shall imply that the affected families has no consent to the proposed acquisition.

(8) Where acquisition is spread across multiple locations consent shall be obtained in all affected areas proposed to be included in the preliminary notification.

CHAPTER-III

22. Approximate cost of land acquisition: The District Collector, on getting required inputs from the Administrator, R and R, shall prepare an estimate of land acquisition on the basis of the components as defined under clause (i) of Section 3.

23. Valuation of structures, trees etc.: There shall be a Single Window Valuation Committee under the Chairmanship of Additional District Magistrate with Executive Engineer, Works, District Agriculture Officer, District Forest Officer, District Horticulture Officer and Soil Conservation Officer as members and Land Acquisition Collector as member Convener, which shall estimate the valuation of structures, trees etc. and submit the report to the District Collector for reference by the Land Acquisition Collector in assessing the cost of acquisition.

24. Administrative cost: (1) The Requiring Body shall deposit such percentage of the cost of acquisition towards administrative cost as to be specified by the State Government by notification, to be revised, from time to time.

(2) The administrative cost shall be deposited by the Requiring Body with the District Collector, fifty per centum of the administrative cost shall be kept in the joint Savings Bank Account of District Collector and Land Acquisition Collector in any Scheduled Bank for meeting the day-to-day expenditures on account of land acquisition, rehabilitation and resettlement works as per guidelines to be issued by the State Government, from time to time , and the balance fifty per centum shall be deposited in the Government Treasury under the appropriate receipt Head of Account.

(3) Out of fifty per centum kept in the Savings Bank Account, the District Collector shall transfer ten per centum to the State Government to meet the expenses on monitoring of land acquisition, R and R.

(4) Interest accrued on such Savings Bank Account shall be credited to the appropriate receipt Head of Account of the State Government.

25. Actual estimation of cost of land acquisition: The District Collector shall prepare the actual estimate of cost of land acquisition taking into consideration all the components as required under the Act for the said acquisition and after following the method and manner in which the Land Acquisition, R and R award shall be made including the investment to be made for food security as required under sub-section (3) of Section 10 and the Land Acquisition Collector shall then send the cost of land acquisition to the concerned Department to which the project relates and to the Requiring Body for sanction of the estimate.

26. Deposits to be made by the Requiring Body before Declaration: (1) Before the declaration under sub-section (1) of Section 19 is made, the Requiring Body shall deposit the cost of acquisition with the District Collector and where the land is required for any private company or under Public Private Partnership mode, the Requiring Body, instead of depositing the cost assessed towards constructions under R and R Scheme, shall retain it and execute and complete the constructions as per the timeline given in the Scheme and deliver the same to the Administrator for compliance of R and R award.

(2) Where the Requiring Body is the State Government; the cost of all acquisition shall be deposited with the District Collector who shall execute the work through available executing agencies, as deemed proper to complete the work in time.

27. Submission of draft Declaration paper: The District Collector shall send draft Declaration papers along with the estimated cost of acquisition to the Administrative Department with advance copy thereof to the Revenue & Disaster Management Department.

28. Compensation: (1) The compensation shall be determined and award shall be made as per the provisions laid down under sections 26 to 30 read with the First Schedule of the Act and paid to all parties whose land or other immovable property has been acquired.

(2) Compensation shall be given to agricultural labourers, tenants, share croppers or artisans and others as referred to in sub-clause (ii) of clause (c) of section 3 at the following rates, namely: –

- (a) In case of an agricultural labourer, a lump sum amount equivalent to the current minimum wages of two hundred days;
- (b) In case of the tenants and share croppers, a lump sum amount of rupees twenty five thousand per acre of the land they cultivate as tenants or share croppers;
- (c) In case of artisans who may be working in the affected area for three years prior to the acquisition of the land, a lump sum amount of Rupees twenty five thousand, per each such artisan.

(3) The payment of compensation shall be made within a period of fifteen days of passing of the awards by organizing disbursement camps and through account payee cheques or by way of electronic transfer of funds to the bank accounts of the awardees, whichever is preferable.

(4) The date of determination of the market value shall be the date on which the preliminary notification was issued under section 11.

(5) For an acquisition process that takes place in phases and where land is acquired sequentially, the base rate as calculated under section 26 shall be taken to be effective rate for all affected families to be compensated across the entire area to be acquired for the said acquisition.

29. Land Acquisition Award: (1) The District Collector, after enquiry into and disposal of the objections, if any, raised by the interested persons in pursuance of the public notice published and given under sub-section (1) of Section 21, shall make land acquisition award under section 23 in Form K.

(2) The District Collector, while calling the claims of the persons interested in the land to be acquired as per section 21, shall give a notice to the Requiring Body and the Requiring Body may express its opinion with the Collector regarding the amount of the compensation of the land to be acquired.

CHAPTER-IV

REHABILITATION AND RESETTLEMENT

30. Survey and census of affected families: (1) The Administrator, Rehabilitation and Resettlement, under the provisions of sub-section (1) of Section 16, shall conduct survey and undertake census of the affected families either by his own staff or by out-sourcing the work to any agency by way of collecting data from the Social Impact Assessment Study report and the Government records and verification of data by field survey and door to door visit of the affected families which shall be completed within a period of sixty days from the date of publication of the preliminary notification.

(2) Where the option of choosing alternative Rehabilitation and Resettlement entitlement is available, option of the affected families shall be obtained during the survey in writing and where the affected family comprised of more than one member, the option shall be obtained from the head of the family.

31. Preparation of draft R and R Scheme: (1) The Administrator, R and R shall prepare the draft R and R Scheme within a period of sixty days from the date of completion of survey.

(2) Where consent is involved, the draft R and R Scheme shall be prepared by taking into account the negotiated terms and conditions of R and R reached between the Requiring Body and the affected families.

32. Power, duties and responsibilities of the Administrator : The Administrator shall exercise the powers and perform the duties and have the responsibilities as follows , namely:—

- (a) to conduct a survey and undertake a census of the affected families in the manner and within the time as provided under these rules;
- (b) to prepare a draft R and R scheme;
- (c) to publish the draft scheme by the mode provided under these rules;
- (d) to make the draft scheme available to the concerned persons and authorities;
- (e) to organize and conduct public hearings on the draft scheme;
- (f) to provide an opportunity to the Requiring Body to make suggestions and comments on the draft scheme;
- (g) to submit the draft scheme to the District Collector;
- (h) to publish the approved scheme in the affected area;
- (i) to help and assist the District Collector in preparing the scheme;
- (j) to monitor and supervise the implementation of the rehabilitation award;
- (k) to assist in post-implementation audit of R and R; and
- (l) to do any other work required to be done for R and R.

33. Public hearing on draft R and R scheme: The Administrator, R and R or an officer authorized by him shall conduct a public hearing in the affected areas on such date, time and venue as deem fit but not earlier than fifteen days of the publication of the draft scheme and the provisions of rule 14 relating to the public hearing shall, *mutatis mutandis*, apply to the public hearing in this case also.

34. Publication of approved R and R Scheme in the affected area: R and R Scheme approved by the Commissioner shall be published by the Administrator, R and R in the same manner as laid down in rule 15.

35. R and R Award: The District Collector shall make R and R Award for each affected family in accordance with the Second Schedule of the Act or as per the negotiated agreement reached with the affected families where consent is involved and hand over family-wise awards to each affected family in Form— L.

36. R and R Committee at Project level. — (1) where the proposed acquisition is more than one hundred acres, the Government shall constitute the R and R Committee at the Project Level after publication of the preliminary notification under sub-section (1) of Section 11.

(2) The member-convenor, while intimating the date, time and venue of the meeting, shall supply a copy of the draft scheme for R and R to all the members.

(3) The quorum of the meeting shall be not less than two thirds of all members.

(4) The meeting shall be held at least once in every three months.

(5) The first meeting shall be convened before award is made under section 31 and successive meetings will review the payment entitlements and work out the displacement work plan on agreed terms.

(6) After completion of resettlement process, the R and R Committee shall suggest the name of an organisation to undertake an independent social audit at the cost payable by the District Collector.

37. Constitution of State Monitoring Committee for R and R:(1) The State Government shall issue guidelines for the constitution and functioning of a State Monitoring Committee for reviewing and monitoring the implementation of R and R schemes or plans under the Act.

(2) The Committee shall meet at least once in every year to review and monitor implementation of R and R schemes or plans in all projects under the Act.

38. Publication of declaration : The Secretary to Government of the Department, dealing with the subject matters of land acquisition or his authorised officer on receipt of the sanction estimate from the Department, to which the project relates, shall issue a declaration under sub-section (1) of section 19 along with the summary of draft R and R scheme.

Provided that no such declaration shall be made unless the Requiring Body has deposited the actual amount of acquisition of the land.

39. Fixation of limits for acquisition of agricultural land: The Government in Agriculture Department shall fix up and separately specify by way of notification the limits of acquisition of irrigated Double cropped land and percentage of the limits of net sown area in any district for acquisition of the agricultural land in aggregate for all projects in that district.

40. Transfer of land and deposit of cost of reclamation for investment in agriculture : (1) Where irrigated Double cropped land is under acquisition, the Requiring Body shall provide equal extent of alternative land to the District Collector by way of registered deed of transfer and deposit reclamation cost as assessed by the Agriculture Department for investment in agriculture.

(2) The District Collector shall, in all such cases, transfer the said land including the reclamation cost to the Agriculture Department for investment to enhance food security.

(3) The land so transferred shall be brought to the record of the Agriculture Department in the record of rights to be updated by the Tahasildar and accordingly, special mention regarding transfer of land for food security be made in the remarks column of the record of rights.

(4) Where the Requiring Body is unable to provide equal extent of land, it shall deposit the market value of the land with the District Collector who shall deposit the same in appropriate Head of Account of the Agriculture Department.

41. Prior consent of Gram Sabha : In all cases of acquisition or alienation of any land in Scheduled Areas, consent of the concerned Gram Sabha and the Panchayats shall be obtained in Form-M before publication of notification under sub-section (1) of Section 11.

42. Formation of Land Bank: (1) The State Government may, by notification, form a Land Bank ,(a Governmental entity) in charge of local Tahasildar that focuses on the conversion of the Government owned waste land, vacant, abandoned, unutilized acquired lands and tax-delinquent properties into productive use.

(2) To ensure acquisition of minimum amount of land and to facilitate utilization of unutilized public lands including land acquired earlier and not utilized and to ensure food security, the Tahasildar shall maintain a village- wise Land Bank of all Government waste land, unutilized acquired land and land to be deposited by the Requiring Body in case of

acquired irrigated double-cropped land, which shall be made available to the SIA team and expert group as per their requirement.

43. Reversion of acquired land to State: (1) Land acquired and possession taken over but not utilized within a period of five years from the date of possession shall, in all cases, revert back to the State and deposited in the Land Bank automatically.

(2) The Requiring Body shall deliver possession of the land to the Tahasildar and on failure to deliver the possession and occupation by the Requiring Body the same shall be treated as unauthorized and the Requiring Body shall be evicted in due course of law.

(3) The Land Acquisition Officers shall furnish this information to local Tahasildars at the end of every six months in a calendar year and Tahasildars shall update the database of the Land Bank.

44. Recovery of excess amount: For the purpose of sub-section (3) of Section 33 the awardee shall furnish an Indemnity Bond to the Land Acquisition Collector for refund of excess amount and in case of any default, or in case of availing benefit fraudulently as mentioned in sub-section (2) of Section 84 or refusal to refund, such amount shall be recovered as arrears of land revenue under the provisions of the Odisha Public Demands Recovery Act, 1962.

45. Web-based Work Flow and Management Information System (MIS) for Land Acquisition and Rehabilitation and Resettlement: The State Government shall create a dedicated, user-friendly website that may serve as a public platform on which the entire work flow of each land acquisition case will be hosted, beginning with the notification of the SIA and tracking each step of decision-making, implementation and audit.

46. Land to be taken on lease: Where land is taken on lease by the State Government under section 104 on consent of the land owners such lease may be for a period of 99 years, and thereafter can be renewed.

47. Limits on extent of land for applicability of rehabilitation and resettlement :

The limits on extent of land, beyond which provisions of Rehabilitation and Resettlement under the Act shall apply in cases of purchase by a private company through negotiation with the owner of the land, shall be two hundred (200) acres of dry land or equivalent extent of irrigated or wet lands in rural areas and fifty (50) acres in urban areas subject to any further notification as may be issued by the Government, from time to time.

[No.4246–R&REH-24/2015/R&DM.]

By Order of the Governor

Dr. MONA SHARMA

Principal Secretary to Government

FORM-A

(See rule 3 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Proposal for Acquisition of Land

1. Name of Requiring Body :
2. Address of Requiring Body :
 - (i) Telephone No. :
 - (ii) E-mail ID :
 - (iii) Fax No. :
3. Name or Location of the Project :
4. Filed under
(Section 2(1) or 2(2) (a) or 2(2) (b)) :
5. Whether proposal is filed u/s 40
(If, yes, reasons thereof) :
6. Purpose of acquisition of land:
7. Project Details :
 - (i) Village :
 - (ii) Gram Panchayat :
 - (iii) Block or Municipality or NAC :
 - (iv) Tahasil :
 - (v) District :
8. Whether the area is coming under : Yes No
Scheduled Area.
9. Total Area covered in the project :

Sl. No.	Name of village	Private Land (Area in Acre)			Govt. Land (Area in acre)		Total (Area in Acre)
		Private land for acquisition	Private land purchased	Private land to be purchased	For lease / alienation	Already leased out/ alienated	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Total							

10. Area of irrigated multi cropped land or agricultural land other than irrigated multi cropped land:

Extent of irrigated multi cropped land (in acres)	Extent of agricultural land other than irrigated double cropped land (in acres)	Extent of land other than those mentioned in columns (1) & (2) (in acres)	Total extent of land for acquisition
(1)	(2)	(3)	(4)

11. Reasons for inclusion of agricultural and irrigated double -cropped land :

12. Land details:

District	Tahasil	Village	Khata No.	Plot No.	Total area	Area to be acquired	Boundaries of land to be acquired N/S/E/W
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Classification of land	Name of Recorded raiyat	Name of present raiyat with full address	No of residential house	No of commercial house	No. of trees	Tanks	Ponds	wells	Remarks
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)

13. Whether the certified copies of RoRs are enclosed:

14. Whether the acquisition would be done in different stages:

15. Whether the Detailed Project Report is enclosed:

16. Estimated cost of acquisition component wise as provided under clause (i) of Section 3 of the Act:

17. Three copies of map showing total project area including proposed acquired area, purchased area and Government land, if any :

18. List of documents attached to the application:

We declare that any subsequent liability arising out of this land acquisition proposal will be borne by us.

Place:

Date:

**Signature of the Authorized Officer
of the Requiring Body with seal**

Form- B

(See rule 7 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Terms of Reference for the SIA

The project-specific Terms of Reference (ToR) shall include the followings, namely:—

- (1) A brief description of the project, project area and the extent of lands proposed for acquisition;
- (2) The objectives of the SIA and all the activities that must be carried out by the SIA team;
- (3) Sequencing, schedule and deadlines for deliverables with dates for the SIA process, based on the size and complexity of the project and land acquisition, and whether consent of Gram Sabhas and land owners is required to be sought;
- (4) The appropriate size and profile of the SIA team required (including field surveyors if needed) to conduct the SIA for the specific project;
- (5) A project-specific budget based on the ToR, with a clear break up of costs for each item or activity;
- (6) The schedule for the disbursement of funds to the SIA team tied to clearly defined deliverables in the SIA process;
- (7) The processing fee will be determined based on the ToR and budget developed for each specific project and will be based on the size and location of the project and the land proposed for acquisition.

Authorized Officer of the State SIA unit

FORM – C
(See rule 8 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Government of Odisha
Revenue & Disaster Management Department

Notification

Notification No.

Date:

Whereas, the State Government intends to acquire the following lands in consultation with the concerned Panchayat or Municipality or Municipal Corporation, as the case may be, at village or ward level, in the affected area and carry out a Social Impact Assessment study for public purpose.

And, whereas, study shall be undertaken as per the provisions of Section 4 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 8 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015, the State Government do hereby issue this notice for carrying out SIA Study for commencement of consultation and Social Impact Assessment study on the basis of the following information, namely:—

- (i) Name of project developer :
- (ii) Purpose of proposed acquisition of land:
- (iii) Organisation to undertake the study:
- (iv) Contact details of the Organisation:
- (v) Land details:

District	Tahasil	Village	Khata No.	Plot No.	Total area	Area to be acquired	Name of recorded raiyat
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

- (a) Brief description of the proposed project:
- (b) The project area and the affected areas:
- (c) Whether consent of Gram Sabhas and land owners is required?
- (d) The date of commencement of SIA.
- (e) The date of completion of SIA:

By order of the Governor
Principal Secretary to Government
Revenue and Disaster Management Department.

FORM – D

**(See sub-rule (2) of rule-9 of the Odisha Right to Fair Compensation and
Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)
Table of Contents for SIA Report**

Sl. No. (1)	Subject (2)	Item (3)	Contents (4)
1	Executive Summary	(i)	Name of the Project;
		(ii)	Public purpose;
		(iii)	Location;
		(iv)	Area of the Project;
		(v)	Alternatives considered;
		(vi)	Social Impacts;
		(vii)	Mitigation measures;
		(viii)	Assessment of social costs and benefits.
2	Detailed description of the Project.	(i)	Background of the project, including developers background and governance;
		(ii)	Management structure;
		(iii)	Rationale for project including how the project fits the public purpose criteria;
		(iv)	Details of project size, location, capacity, outputs, production targets, cost, risks;
		(v)	Examination of alternatives;
		(vi)	Phases of project construction;
		(vii)	Core design features and size and type of facilities;
		(viii)	Need for ancillary infrastructural facilities;
		(ix)	Work force requirements (a) temporary: (b) permanent:
		(x)	Details of SIA or EIA if already conducted and any technical feasibility reports;
			Applicable legislations and policies;

Sl. No. (1)	Subject (2)	Item (3)	Contents (4)
3	Team composition, approach, methodology and schedule of the SIA	(i)	List of all team members with qualifications;
		(ii)	Description and rationale for the methodology and tools used to collect information for the SIA;
		(iii)	Sampling methodology used;
		(iv)	Overview of information or data sources used; (Detailed reference must be included separately in the forms)
		(v)	Schedule of consultations with public representatives and key stakeholders;
		(vi)	Brief description of public hearings conducted;
		(vii)	Specific feedback incorporated in the report.
4	Land Assessment	(i)	Maps showing area of impact under the project (not limited to land area for acquisition);
		(ii)	area of impact under the proposed project, including both land to be acquired and areas that will be affected by environmental, social or other impacts of the project;
		(iii)	extent and location of land proposed to be acquired for the project;
		(iv)	if the land proposed for acquisition is the bare minimum requirement;
		(v)	possible alternative sites for the project and their feasibility;
		(vi)	whether, the land proposed for acquisition in Scheduled Area is a demonstrable last resort;
		(vii)	land, if any, already purchased, alienated, leased or acquired and the intended use for each plot of land required for the project;
		(viii)	the possibility of use of any public, unutilized land for the project and whether any of such land is under occupation;

Sl. No. (1)	Subject (2)	Item (3)	Contents (4)
		(ix)	nature of the land, present use and classification of land and if it is an agricultural land, the irrigation coverage for the said land and the cropping pattern;
		(x)	whether the special provisions with respect to food security have been adhered to in the proposed land acquisition;
		(xi)	size of holdings, ownership patterns, land distribution, number of residential houses, and public and private infrastructure and assets; and
		(xii)	land prices and recent changes in ownership, transfer and use of lands over the last three years.
5	Estimation and enumeration (where required) of affected families and assets	(i)	<p>Enumeration of the followings types of families:—</p> <p>(a) Families whose land or other immovable properties have been acquired;</p> <p>(b) Land under occupation of tenants;</p> <p>(c) Families of the Scheduled Tribes and other traditional forest dwellers who have lost any of their forest rights;</p> <p>(d) Families of agricultural labourers, tenants or holding of usufructory right, share-croppers or artisans or who may be working in the affected area for three years prior to the acquisition of the land;</p> <p>(e) Families who have been assigned land by the State Government or the Central Government under any of its schemes;</p> <p>(f) Families who have been residing on any land in the urban areas for preceding three years or more prior to the acquisition of the land;</p> <p>(g) Families indirectly impacted by the project (Gatherers of forest produce, hunters, fisher folk, boat men, etc.)</p> <p>(h) Inventory of productive assets and significant lands</p>

Sl. No. (1)	Subject (2)	Item (3)	Contents (4)
6	Socio-economic and cultural profile (affected area and resettlement site)	(i)	Demographic details of the population in the project area;
		(ii)	Income and poverty levels;
		(iii)	Vulnerable groups;
		(iv)	Land use and livelihood:
		(v)	Local economic activities:
		(vi)	Factors that contribute to local livelihoods
		(vii)	Kinship patterns and social and cultural organization:
		(viii)	Shrines and sacred places:
		(ix)	Administrative organisations:
		(x)	Political organisations:
		(xi)	Community-based and civil society organisations
		(xii)	Regional dynamics and historical change processes:
		(xiii)	Quality of the living environment:
7	Social impacts	(i)	Framework and approach to identifying impacts:
		(ii)	Description of impacts at various stages of the project cycle such as impacts on health and livelihoods and culture. For each type of impact, separate indication of whether it is a direct or indirect impact, differential impacts on different categories of affected families and where applicable cumulative impacts;
		(iii)	Indicative list of impact areas include--impacts on land, livelihoods and income, physical resources, private assets, public services and utilities, health, culture and social cohesion and gender based impacts.
8	Analysis of costs and benefits and recommendation on acquisition	(i)	Final conclusions on-
		(ii)	Assessment of public purpose:
		(iii)	Less-displacing alternatives and minimum requirements of land:
		(iv)	Nature and intensity of social impacts:
		(v)	Viability of the mitigation measures and extent to which mitigation measures described in the SIMP shall address the full range of social impacts and adverse social costs:

Form – E

(See sub rule (2) of rule 9 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Social Impact Management Plan

- (1) Ameliorative measures required to be undertaken for addressing the impact of the project on—
- (i) livelihood of affected families;
 - (ii) public and community properties;
 - (iii) assets and infrastructure particularly roads, public transport;
 - (iv) drainage and sanitation;
 - (v) sources of drinking water;
 - (vi) sources of water for cattle;
 - (vii) community ponds;
 - (viii) grazing land;
 - (ix) plantations;
 - (x) public utilities such as post offices, fair price shops, food storage Godowns, electricity supply, health care facilities, schools and educational or training facilities, Anganwadis, children parks, places of worship, land for traditional tribal institutions and burial and cremation grounds;
- (1) Measures that the Requiring Body has stated it will introduce in the Project Proposal.
- (2) Additional measures that the Requiring Body has stated it will undertake in response to the findings of the SIA process and public hearings.

(The SIM Plan shall also mention key persons responsible for each ameliorative measure and timelines and costs for each activity.)

Form– F

(See sub rule (4) of rule 11 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Socio-economic and cultural parameters

1. Demographic details of the population in the project area:
 - (a) Age, sex, caste, religion;
 - (b) Literacy, health and nutritional status;
2. Poverty levels;
3. Vulnerable groups:—
 - (a) Women, (b) children, (c) the elderly, (d) women-headed households, (e) the differently abled;
4. Kinship patterns and women's role in the family;
5. Social and cultural Organisation:
6. Administrative Organisation:
7. Political Organisation:
8. Civil Society Organisations and social movements:
9. Land use and livelihood:—
 - (a) Agricultural and non-agricultural use;
 - (b) Quality of land - soil, water, trees etc.;
 - (c) Livestock;
 - (d) Formal and informal work and employment;
 - (e) Household division of labour and women's work;
 - (f) Migration;
 - (g) Household income levels;
 - (h) Livelihood preferences; and
 - (i) Food security.
10. Local economic activities:—
 - (a) Formal and informal, local industries;
 - (b) Access to credit;
 - (c) Wage rates; and
 - (d) Specific livelihood activities women are involved in.
11. Factors that contribute to local livelihoods:—
 - (a) Access to natural resources;
 - (b) Common property resources;

- (c) Private assets;
- (d) Roads, transportation;
- (j) Irrigation facilities;
- (k) Access to markets;
- (l) Tourist sites;
- (m) Livelihood promotion programmes; and
- (n) Co-operatives and other livelihood-related associations.

12. Quality of the living environment:—

- (a) Perceptions, aesthetic qualities, attachments and aspirations;
- (b) Settlement patterns;
- (c) Houses;
- (d) Community and civic spaces;
- (e) Sites of religious and cultural meaning;
- (f) Physical infrastructure (including water supply, sewage systems etc.);
- (g) Public service infrastructure (schools, health facilities, anganwadi centres, public distribution system);
- (h) Safety, crime, violence; and
- (i) social gathering points for women.

Form- G**(See sub rule (5) of rule 11 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)****Key impact areas****1. Impacts on land, livelihoods and income:—**

- (a) Level and type of employment;
- (b) Intra-household employment patterns;
- (c) Income levels;
- (d) Food security;
- (e) Standard of living;
- (f) Access and control over productive resources;
- (g) Economic dependency or vulnerability;
- (h) Disruption of local economy;
- (i) Impoverishment risks; and
- (j) Women's access to livelihood alternatives.

2. Impacts on physical resources:—

- (a) Impacts on natural resources, soil, air, water, forests ; and
- (b) Pressures on land and common property natural resources for livelihoods.

3. Impacts on private assets, public services and utilities: ---

- (a) Capacity of existing health and education facilities;
- (b) Capacity of housing facilities;
- (c) Pressure on supply of local services;
- (d) Adequacy of electrical and water supply, roads, sanitation and waste management system; and
- (e) Impact on private assets such as bore wells, temporary sheds etc.

4. Health impacts:—

- (a) Health impacts due to in-migration;
- (b) Health impacts due to project activities with a special emphasis on impact on women's health and impact on the elderly.

5. Impacts on culture and social cohesion:—

- (a) Transformation of local political structures;
- (b) Demographic changes ;
- (c) Shifts in the economy-ecology balance ;
- (d) Impacts on the norms, beliefs, values and cultural life;
- (e) Crime and illicit activities;
- (f) Stress of dislocation ;
- (g) Impact of separation of family cohesion ; and
- (h) Violence against women

6. Impact at different stages of the project cycle:—

The type, timing, duration, and intensity of social impacts will depend on and relate closely to the stages of the project cycle. Below is an indicative list of impacts, namely:—

(a) Pre-construction phase:—

- (i) Interruption in the delivery of services,
- (ii) Drop in productive investment,
- (iii) Land speculation, and
- (iv) Stress of uncertainty.

(b) Construction phase:—

- (i) Displacement and relocation,
- (ii) Influx of migrant construction workforce , and
- (iii) Health impacts on those who continue to live close to the construction site.

(c) Operation phase:—

- (i) Reduction in employment opportunities compared to the construction phase,
- (ii) Economic benefits of the project ,
- (iii) Benefits on new infrastructure , and
- (iv) New patterns of social organisation.

(d) De-commissioning phase:—

- (i) Loss of economic opportunities and
- (ii) Environmental degradation and its impact on livelihoods.

(e) Direct and indirect impacts:—

- (i) "Direct impacts" will include all impacts that are likely to be experienced by the *affected families*;
- (ii) "Indirect impacts" will include all impacts that may be experienced by those not directly affected by the acquisition of land (i.e. Direct land and livelihood losers), but those living in the project area.

f) Differential impacts:—

- (i) Impact on women, children, the elderly and the different abled ;
- (ii) Impacts identified through tools such as Gender Impact Assessment Checklists, and Vulnerability and Resilience Mapping.

g) Cumulative impacts:—

- (i) Measurable and potential impacts of other projects in the area along with the identified impacts for the project in question.
- (ii) Impact on those not directly in the project area but based locally or even regionally.

Form- H

(See rule 18 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

**Government of Odisha
Revenue & Disaster Management Department**

Preliminary Notification

No_____

Date_____

Whereas it appears to the Government of Odisha that a total of_____ acre land, details of which have been given below, is required to be acquired for _____ purpose. This notification is hereby given for information of the general public. Any person interested in any land which is notified hereunder may, within sixty days from the date of publication of this notification, object to the area and suitability of land proposed to be acquired, justification offered for public purpose and the findings of the Social Impact Assessment report to the Collector in writing.

1. Nature of the public purpose:
2. Name of the Requiring Body:
3. Reasons necessitating the displacement of affected persons:
4. Summary of the Social Impact Assessment Report:
5. Particulars of the Administrator appointed for the purposes of rehabilitation and resettlement:
6. Land Details:

District	Tahasil	Village	Rural / Urban	Khata No.	Plot No.	Total area	Area to be acquired	Name of recorded raiyat
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

No person shall make any transaction or cause any transaction of land specified in this preliminary notification or create any encumbrance on such land from the date of publication of this notification without prior approval of the District Collector.

Objections to the acquisition, if any may be filed by the person interested within 60 (sixty) days from the date of publication of this notification as provided under section 15 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 before the District Collector.

By order of the Governor

Principal Secretary to Government

Form- I

(See rule 18 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

**Government of Odisha
Revenue & Disaster Management Department**

DECLARATION

No _____

Date _____

It is hereby declared for information of all concerned that after consideration of the report of the Collector submitted in pursuance to provision of sub-section (2) of Section 15 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, the State Government is satisfied that land to an extent of _____ acres in Village _____, PS _____, District _____ as scheduled below at "A" is needed for public purpose, as defined under sub-section (1) of Section 2 of the Act i.e. for _____ Project (Government / Private / PPP Project) and by _____. (Name of the project developer and Requiring Body to be clearly specified)

Preliminary notification under sub-section (1) of Section 11 of the Act was published vide Notification No. _____ dated _____.

It is further declared that the land to an extent of _____ acres in Village _____, PS _____, District _____ as scheduled below at "B" has been identified as the resettlement area for the purpose of rehabilitation and resettlement of the displaced families.

The summary of the Rehabilitation and Resettlement Scheme applicable to the affected and displaced families relating to the land covered under this Declaration is attached herewith.

The approved Rehabilitation and Resettlement Scheme is available in the office of the Collector and Administrator R&R and has also been uploaded on the website of the District _____ (website address to be specified) and on the website of State Government (website address to be specified) for public view. A plan of the land may be inspected in the office of the Land Acquisition Officer/ _____ on any working day

Schedule-A

(Land under proposed acquisition)

District:

Tahasil:

Name of the Village (1)	Rural / Urban (2)	Khata no. (3)	Plot no. (4)	Kissam (5)	Total area (6)	Area to be acquired (7)	Name of recorded raiyat (8)

Schedule-B

(Land identified as the resettlement area)

District:

Tahasil:

Name of the Village (1)	Rural / Urban (2)	Khata no. (3)	Plot no. (4)	Kissam (5)	Total area (6)	Area selected for Rehabilitation (7)	Name of recorded raiyat (8)

Note:- In projects where land is acquired in stages, land covered under declarations in preceding stages to be specified along with the summary of R&R Scheme and implementation status relating to those stages.

By order of the Governor
Principal Secretary to Government / Authorised Officer
Revenue & Disaster Management Department.

Form-J

(See sub rule (4) of rule 21 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Prior written consent form

1. Name of the person(s) in whose name the land is registered:
2. Name of the spouse:
3. Name of father/ mother:
4. Address:
5. Village:
6. Gram Panchayat/Municipality/Township:
7. Tahasil:
8. District:
9. Name of other members in the family with age: (including children and adult dependents)
10. Caste Status (ST/SC/OBC/Others)
11. Extent of land owned:
12. Disputed lands if any:
13. Pattas/leases/grants, if any:
14. Any other right, including tenancy, if any:
15. Regarding acquisition of my land bearing Khata No._____, Plot No._____, measuring an area of Ac._____, in Village _____ of District _____ by the Government, I wish to State as follows:—
 - a) I have *read/*read out the contents of this consent form and the terms and conditions of compensation, rehabilitation and resettlement benefits and other measures committed by the Requiring Body.
 - b) *I do not agree to this acquisition.
 - c) *I agree to this acquisition.

Signature/Thumb impression of the affected
Family(s)
Date:

FORM-K

(See rule 29 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Land Acquisition Award

Land Acquisition case No.:

1	Name of the project-					
2	Number and date of declaration under which the land is to be acquired					
3	Location and extent of the land in acres, the number of field plots with specification, the village in which situated					
4	Description of the land, i.e. whether fallow, cultivated, homestead, etc. if cultivated, how cultivated?					
5	Names of persons interested in the land and the nature of their respective interests.					
6	Amount allowed for the land itself, without trees, buildings etc. if any					
7	Amount allowed out of such sum as compensation for the tenants interest in the land					
8	Basis of calculation:					
9	Amount allowed for trees, houses or any other immovable things.					
10	Amount allowed for crops.					
11	Additional compensation on the market value under section 30(3) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013) (hereinafter mentioned as the Act).					
12	Damages under section 28 of the Act.					
13	Solatium u/s 30(1) of the Act.					
14	Award under section 23 and 30 of the Act.					
15	Particulars of abatement of Government Revenue, or of the capitalized value paid, the date from which the abatement takes effect.					
16	Apportionment of the amount of compensation Area in (Ac.)	Serial No.	Name of claimants	Amount payable to each	Bank A/c No.	Remarks
17	Date on which possession was taken u/s-38(1) and 40(1) of the Act.					

If possession has been taken earlier in accordance with the provision under sub section (1) of Section 40 of the Act, the number and date of the order of Government giving authority to do so may be mentioned here.

Date:

Signature

FORM-L

(See rule 35 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Award for Rehabilitation and Resettlement

Land Acquisition case No.

1	Name of the project-							
2	Number and date of declaration under which the land is to be acquired							
3	Location and extent of the land in acres, the number of field plots with speciation, the village in which situated							
4	Description of the housing units, transportation cost, housing allowances, annuity, employment subsistence grant, cattle shed, petty shop, one time resettlement allowances etc.							
5	Name /Names of persons interested in the land and the nature of their respective claim for rehabilitation and resettlement.							
6	Apportionment of the amount of compensation Area(in acres)	Sl. No.	Name of claimants/ affected family	R&R entitlements	Bank A.C. No.	Amount payable to each	Non monetary entitlements	Remarks
7					(a) House to be allotted (b) Land to be allotted (c) Fishing right (d) Annuity (e) Employment (f) Transportation cost (g) Housing allowances (h) Employment (i) Subsistence grant (j) Cattle shed (k) Petty shop (l) One time resettlement allowances			
	Date on which R&R entitlements given to the affected family.							

Date:

Signature

Form-M

(See rule 41 of the Odisha Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Rules, 2015)

Format for Gram Sabha Resolution

We, the undersigned members of the Gram Sabha of _____ within _____ Panchayat of _____ Tahasil in District _____ wish to state that the following certification is based on the information supplied by the administration and officials. If this information is incomplete or incorrect and/or if any consent has been obtained through any use of threats, fraud or misrepresentation, it is null and void. On this basis this Gram Sabha hereby certifies that it *consents / *refuses to consent to the proposed _____ project, which will involve;

1. acquisition of _____ acres of private land,
2. transfer of _____ acres of government land to the project, and
3. transfer of _____ acres of forest land to the project.

The terms and conditions of compensation, rehabilitation and resettlements benefits and social impact mitigation measures agreed to by the Requiring Body (state the name) are attached.

The Gram Sabha also states that any consent is subject to all of its residents receiving title to all of their individual and community rights over forests and forests lands, including their titles for forest land that they have been cultivating, ownership titles for all forms of minor forest produce that they use, and titles to protect and manage their community forests.

[Note: This will have to be certified by this Gram Sabha separately.]

Date:

**Signatures/ thumb impressions
of Gram Sabha members**

Date:

**Signature of Designated District Officer
on receipt of the Resolution**

N.B.- *-Strike out whichever is not applicable.